

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYREE MORRIS,

Plaintiff,

v.

MICHAEL WENEROWICZ, JOHN  
WETZEL, JOSEPH C. KORSZNIAK,  
BLATT, JOHN DOE, ROBERT DOE,

Defendants.

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CIVIL ACTION NO. 15-5969

**ORDER**

**AND NOW**, this 16th day of March, 2016, after considering the motion to dismiss filed by the defendants, Michael Wenerowicz (“Wenerowicz”), John Wetzel (“Wetzel”), and Joseph C. Korszniak (“Korszniak”) (Doc. No. 8) and the motion for leave to file an amended complaint filed by the *pro se* plaintiff, Tyree Morris (Doc. No. 9); and after reviewing the complaint (Doc. No. 3); and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** as follows:

1. The motion to dismiss (Doc. No. 8) is **GRANTED** as follows:

a. The motion to dismiss, insofar as the moving defendants seek to have the court dismiss the causes of action against Korszniak and Wetzel, is **GRANTED** with the plaintiff’s consent and the causes of action against Korszniak and Wetzel are **DISMISSED WITHOUT PREJUDICE**; and

b. The motion to dismiss, insofar as the moving defendants seek to have the court dismiss the causes of action against Wenerowicz in his official and individual capacities, is **GRANTED** and the causes of action against Wenerowicz are **DISMISSED WITH PREJUDICE**.

2. The motion for leave to file an amended complaint (Doc. No. 9) is **DENIED**;
3. The causes of action against Dr. Blatt and the fictitious defendants, John Doe and Robert Doe, are **DISMISSED WITH PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B); and
4. The clerk of court is directed to **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.